

August 8, 2016
Springfield, Missouri

The City Council met in regular session August 8, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

| | |
|-----------------------|---|
| Roll Call | Present: Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk and Bob Stephens. Absent: None. |
| Minutes | There being no additions, deletions or corrections, the minutes of July 25, 2016 were approved as presented. |
| Consent Agenda | The Consent Agenda was finalized and approved as presented. |

CEREMONIAL MATTERS

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, announced the start of the Route 66 Festival beginning on Friday, August 12, 2016. Mr. Burris stated the event will include a drive-in movie, music and a parade along with a Ceremonial Groundbreaking. Mr. Burris noted Sara Burr, Curator of Art for the Springfield Art Museum, received the "2016 Promising Leadership Award" from the Association of Midwest Museums. Mr. Burris stated the Springfield Art Museum received a 2016 Sparks! Ignition Grant from the Institute of Museum and Library Services for the "Art@Work" Partnership with Workforce Development. Mr. Burris noted Steve Meyer, Director of Environmental Resources, received the 2016 Missouri Waste Coalition Award. Mr. Burris stated the Springfield-Greene County Park Board will be receiving the 2016 USTA Facility Excellence Award and congratulated Mike Crocker, Assistant Director of the Dickerson Park Zoo, for his 40-year anniversary at the facility. Mr. Burris noted Captain Ben King, Springfield Police Department, graduated from Senior Management Institute for Police in Boston. Mr. Burris stated Mary Lilly Smith, Director of Planning and Development, sent out information in response to questions from the July 25, 2016 Council Meeting and included information that was requested about Crossland Heavy Contractors, Inc.

Councilman Hosmer asked if the smoking regulations at the Ozark Empire Fairgrounds is regulated by the Fairgrounds or by the City. Mr. Burris responded he believes it is regulated by the Fairgrounds but will provide further information. Councilman Hosmer expressed his belief the signage provided gives an inconsistent message about smoking regulations at the Fairgrounds.

The following bills appeared on the agenda under Second Reading Bills:

| | |
|---|---|
| Rezoning 2263 East Cherry Street | Sponsor: Burnett. Council Bill 2016-177. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning |
|---|---|

approximately 0.41 acres of property, generally located at 2263 East Cherry Street, from R-MD, Medium density Multi-Family District, to HM, Heavy Manufacturing District with Conditional Overlay District No. 109; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: O'Reilly Automotive Stores, Inc.; 2263 East Cherry Street; Z-10-2016 Conditional Overlay District No. 109.)

Council Bill 2016-177. General Ordinance 6298 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 2420 East
Sunshine Street**

Sponsor: Hosmer. Council Bill 2016-178. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.62 acres of property, generally located at 2420 East Sunshine Street, from Planned Development 136, to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: D.L. Rogers Corp; 2420 East Sunshine Street; Z-9-2016.)

Council Bill 2016-178. General Ordinance 6299 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

**Use Permit 2420 East
Sunshine Street**

Sponsor: Fishel. Council Bill 2016-179. A special ordinance authorizing the issuance of a "Use Permit," generally referenced as Use Permit No. 423, to allow an automobile service garage within the GR, General Retail District, generally located at 2420 East Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: D.L. Rogers Corp; 2420 East Sunshine Street; Conditional Use Permit 423.)

Council Bill 2016-179. Special Ordinance 26778 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 4018 and
4022 South Lone Pine
Avenue**

Sponsor: McClure. Council Bill 2016-180. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 10.8 acres of property, generally located at 4018 and 4022 South Lone Pine Avenue, from R-SF, Residential Single Family District, GR, General Retail District and GM, General Manufacturing District to Planned Development District No. 351; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Kaonashi LLC and Lone Projects, LLC; 4018 and 4022 South Lone Pine Avenue; Planned Development 351.)

Councilwoman Fisk recused herself from voting.

Councilwoman Fulnecky expressed her appreciation for the proposed and expressed her belief the proposed will provide additional jobs and growth in Springfield.

Councilman Fishel expressed his appreciation for the proposed and thanked the developers for their work.

Mayor Pro Tem McClure expressed his appreciation for the proposed and commended the developers for their work.

Councilman Schilling expressed his belief the proposed is an example of the appropriate use of tax abatement.

Council Bill 2016-180. General Ordinance 6300 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: Fisk.

**Biosolids Treatment
Improvements Project**

Sponsor: Hosmer. Council Bill 2016-181. A special ordinance approving the plans and bid specifications, and accepting the bid of Crossland Heavy Contractors, Inc. for the Biosolids Treatment Improvements Project (Plan No. 2016PW0027s) at the Southwest Wastewater Treatment Plant, in the amount of \$32,389,415.00; authorizing the City Manager, or his designee, to enter into a contract with such bidder; and approving a budget adjustment to amend the Fiscal Year 2016-2017 budget of the Environmental Services Department for the Clean Water Fund in the amount of 10 percent of the construction of this project (\$3,200,000.00) to cover contingencies and construction management services for this project.

Councilman Hosmer moved to table Council Bill 2016-181 to next Council Meeting August 22, 2016. Councilman Hosmer expressed his belief the proposed should be tabled to review information regarding Occupational Safety and Health Administration (OSHA) violations and prevailing wage issues and expressed his belief tabling the proposed will not affect the timeline of the project.

The motion was seconded by Councilwoman Ferguson.

Mayor Stephens stated Frank Romines, City Attorney, suggested tabling the bill until reading through the recent Supreme Court hearing concerning Crossland Heavy Contractors, Inc.

Council Bill 2016-181 was tabled by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

**Local Preference
Provision**

Sponsor: Hosmer, Fishel and Fisk. Council Bill 2016-182. A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsection 13-3.104.1.(D) to clarify the local preference provision and by deleting Subsections 13-3.105.2 and 13-3.105.3 to remove a conflicting local preference provision. (Plans and Policies Committee recommends approval.)

Councilwoman Ferguson thanked the Plans and Policies Committee for their work on the proposed.

Mayor Pro Tem McClure thanked the Plans and Policies Committee for their work on the proposed.

Council Bill 2016-182. General Ordinance 6301 was approved by the following

vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

RESOLUTIONS.

Gift from Guy Mace for the Route 66 Festival

Sponsor: Fisk. Council Bill 2016-185. A resolution accepting a gift of \$5,000 to be presented by Guy Mace or his designee, to assist with promotional expenses of the 2016 Birthplace of Route 66 Festival.

Cora Scott spoke on the proposed. Ms. Scott stated Mr. Mace is an avid car collector and has done several things to help support the Route 66 revitalization efforts; she thanked Mr. Mace for his gift. Ms. Scott noted the proposed is a generous donation which will help fund promotional expenses for the Route 66 Parade.

Guy Mace expressed his appreciation for the City's work on the Route 66 Festival.

Mayor Pro Tem McClure thanked Mr. Mace for his gift. Mr. McClure stated Mr. Mace has been very generous to the community.

Councilman Fishel thanked Mr. Mace for opening up his collection and thanked Mr. Mace for his generosity.

Councilwoman Fisk thanked Mr. Mace for his gift and expressed her appreciation for the Route 66 Festival.

Ms. Scott stated the Ghostbusters car from the recent film will be featured in the parade thanks to Mr. Mace.

Council Bill 2016-185. Resolution 10278 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS.

International Association of Chiefs of Police Training Program

Sponsor: Hosmer. Council Bill 2016-186. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the International Association of Chiefs of Police to provide a training program for the Springfield Police Department, and declaring an emergency pursuant to Charter Section 2.12(1).

Paul Williams, Chief of Police, spoke on the proposed. Chief Williams stated the proposed brings the training program to the City of Springfield and adds eight additional people from other areas to take part in the training program. Chief Williams noted the proposed will not impact the general fund. Chief Williams stated the proposed is being read as an emergency because the training program will begin on August 22, 2016.

Councilwoman Ferguson expressed her appreciation for the proposed.

Council Bill 2016-186. Special Ordinance 26780 was approved by the following

vote. Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

The following bills appeared on the agenda under First Reading Bills:

Homeland Subdivision Project

Sponsor: Ferguson. Council Bill 2016-187. A special ordinance approving the plans and specifications for the Homeland Subdivision Pacific Street and Hillcrest Avenue – Colgate Avenue to Thoman Street project, and to accept the bid of Hamilton and Dad Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Dan Smith, Director of Public Works, spoke on the proposed. Mr. Smith stated the proposed will provide for sidewalk and stormwater improvement on Homeland Subdivision. Mr. Smith noted the proposed is below the engineers estimate and expressed his appreciation for moving forward on the project.

Councilwoman Ferguson asked if the proposed will be able to begin within the next 30 to 60 days. Mr. Smith responded in the affirmative and stated the proposed can begin once it has passed second reading.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Kimbrough Avenue and Cherry Street Signal Replacement Project

Sponsor: Hosmer, Fishel and Fisk. Council Bill 2016-188. A special ordinance approving the plans and specifications for Kimbrough Avenue and Cherry Street Signal Replacement Project, and to accept the bid of Ewing Signal Construction, LLC in the amount of \$276,347.05 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Dan Smith spoke on the proposed. Mr. Smith stated the proposed provides improvements to the signals, drainage and resurfacing of the intersection. Mr. Smith noted the proposed is below the engineers estimate.

Councilman Hosmer asked if the intersection cameras will be affected. Mr. Burris asked for clarification. Councilman Hosmer asked if the proposed will affect red light cameras. Mr. Burris responded in the negative.

Councilman Hosmer asked if the City could resume using red light cameras. Mr. Burris responded there were recent court opinions that may have removed the option and stated he would look into providing Council with more information concerning red light cameras.

Councilman Hosmer asked if the signals could be modified to add red light cameras. Mr. Smith responded the proposed will bring the signals up to current

standards and stated it would be easy to add technology that is compatible with the system.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

- | | |
|--------------------|---|
| Recommended | The City Manager recommends the following appointments to the Art Museum Board: Bill Hedrick and Linda Passeri with terms to expire June 1, 2019. |
| Recommended | The City Manager recommends the following reappointment to the Art Museum Board: Tim Rosenbury with term to expire June 1, 2019. |
| Recommended | Ken McClure will be the employer representative at the upcoming 2016 Missouri Local Government Employees Retirement System (LAGERS) Annual meeting. |
- As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

- | | |
|--|---|
| A Special Ordinance Authorizing the City Manager to enter into an Agreement with Missouri Highways and Transportation Commission and KSPR | Sponsor: Hosmer. Council Bill 2016-189. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KSPR, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield. |
| Agreement with Missouri Highways and Transportation Commission and Nexstar Broadcasting Group, Inc. | Sponsor: McClure. Council Bill 2016-190. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and Nexstar Broadcasting Group, Inc., for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield. |
| Agreement with Missouri Highways and Transportation Commission and KYTV/KYCW | Sponsor: Fishel. Council Bill 2016-191. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and KYTV/KYCW, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield. |

The following bills appeared on the agenda under Consent Agenda One

Reading Bills:

**The following bills appeared on the agenda under Consent Agenda
Second Reading Bills:**

**Agreement with the
Board of Governors of
Missouri State
University**

Sponsor: Fulnecky. Council Bill 2016-183. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Board of Governors of Missouri State University for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

Council Bill 2016-183. Special Ordinance 26779 was approved by the following vote: Ayes: Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, McClure, Fisk and Stephens. Nays: None. Absent: None. Abstain: None.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 7:30 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham